

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

vs.

Criminal No. 18-292

ROBERT BOWERS,

Defendant.

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Transcript of proceedings on March 19, 2019 United States
District Court, Pittsburgh, Pennsylvania, before Judge
Donetta W. Ambrose.

APPEARANCES:

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Proceedings recorded by mechanical stenography;
transcript produced by computer-aided transcription.

1 P R O C E E D I N G

2 (12:58 p.m.)

3 (Defendant not present.)

4 THE COURT: Good afternoon, everyone. We are here in
5 the case of the United States of America against Bowers at No.
6 18-292 and we are here for a status conference and who wants
7 to begin?

8 MS. SONG: Your Honor, Soo Song on behalf of the
9 United States. Julia Gegenheimer is also at counsel table.
10 We have met with defense counsel, I think that we have some
11 proposals for the court in terms of additional time.

12 Discovery is ongoing and we have been negotiating
13 different aspects of it and that's the substance of what we
14 would report today.

15 THE COURT: So I know that motions are due on April
16 15, which is the date we had set for our next status
17 conference. We are talking about an extension then?

18 MS. CLARKE: Yes, Your Honor.

19 THE COURT: Do you have any idea how much of an
20 extension?

21 MS. CLARKE: We thought at this time we would go with
22 120 days and then extend at that time if it's necessary.

23 THE COURT: Okay. So you'll prepare a motion then
24 for the extension sometime before April 15?

25 MS. CLARKE: Yes, correct.

1 THE COURT: Do you still want to have the status
2 conference on April 15?

3 MS. CLARKE: We had thought that we should leave it
4 at that date, and we could advise the court in advance if it
5 needed to be moved.

6 THE COURT: Sure. That's fine.

7 MS. SONG: I think we can keep it on the calendar,
8 Your Honor.

9 THE COURT: Absolutely.

10 MS. CLARKE: The parties jointly wanted to prepare a
11 complexity finding under 3161 and we'll present that to the
12 court as well.

13 THE COURT: Okay. When do you expect -- anticipate
14 doing that?

15 MS. SONG: I think in conjunction with the motion to
16 continue, which will be consented to, we can cite
17 3161(h)(7)(B)(ii) because of the complex nature of the case.

18 THE COURT: Sure.

19 MS. CLARKE: The only other status we probably should
20 advise the court of is, as the court is aware from the filing
21 by the government, that there's a process that the Department
22 of Justice goes through to make the decision and we are
23 given -- the defense is given an opportunity, as part of that
24 process, to have input, hopefully meaningful input, because of
25 the enormity of the decision, and in this situation, we

1 received about four terabytes of discovery, some electronic
2 discovery that requires specialized attention to review, and
3 as a result of our need to be prepared and to have meaningful
4 input, we've asked the government to extend our local
5 submission deadline to May 15, four weeks, and I think that's
6 under consideration at this point.

7 THE COURT: Is that correct, Ms. Song? You are
8 considering that extension?

9 MS. SONG: Yes, Your Honor. We are discussing it
10 internally.

11 THE COURT: Okay. So I guess you'll let me know if
12 it doesn't work out.

13 MS. SONG: Correct.

14 MS. CLARKE: I think so.

15 THE COURT: Okay.

16 MS. CLARKE: I think that's it for us.

17 THE COURT: That's it. Anything more from the
18 government?

19 MS. SONG: No, Your Honor. Thank you.

20 THE COURT: So we are keeping the April 15 date on.
21 There's going to be a motion to extend time for 120 days from
22 April 15, and you are considering an extension of the time to
23 present the case from the defense past the April 15 deadline
24 to May 15?

25 MS. SONG: That's correct.

1 THE COURT: Do you have any idea when you might know
2 when that decision is going to be made?

3 MS. SONG: I expect within the next few weeks, Your
4 Honor.

5 THE COURT: Next few weeks will get us to April 15
6 almost really.

7 MS. SONG: Almost.

8 THE COURT: Sometime in between now and April 15.

9 MS. SONG: Sure.

10 THE COURT: I can certainly deal with that when and
11 if it comes up. I guess that's it. Anything more from
12 anybody?

13 MS. CLARKE: No.

14 THE COURT: Nice to meet you, Ms. Clarke. I haven't
15 met you before. I think I've met everybody else. I'm pretty
16 sure you have been here before. Thank you all for coming.
17 Thank you very much.

18 (At 1:02 p.m., the proceedings were adjourned.)

19 C E R T I F I C A T E

20 I, BARBARA METZ LEO, RMR, CRR, certify that the
21 foregoing is a correct transcript from the record of
22 proceedings in the above-entitled case.

23 \s\ Barbara Metz Leo
24 BARBARA METZ LEO, RMR, CRR
25 Official Court Reporter

09/26/2019
Date of Certification